

IN RE: PETITION FOR ZONING VARIANCE
N/S Brookshire Drive, 155' E
c/l Benwell Road
58 Brookshire Drive
4th Election District
3rd Councilmanic District
Melvin E. Freundlich, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-379 A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.B. to permit an open projection (deck) of 10' in lieu of the permitted 6.25' as more particularly described on Petitioner's Exhibit 1.

The Petitioner, Melvin Freundlich, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R. and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore

County this 22nd day of March, 1989 that the Petition for Zoning Variance from Section 1802.3.B. to permit an open projection (deck) of 10' in lieu of the permitted 6.25', as more particularly described on Petitioner's Exhibit 1 be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

JRH:mmm
cc: Peoples Counsel

FILED
MAR 23 1989
By: [Signature]

STREET MARK
Show Mar. 2-5
Once a year, a golden opportunity comes along for those who wish to aesthetically upgrade their property. It's the Maryland Flower and Garden Show, which runs Thursday through Sunday, Mar. 2-5, at Festival Hall in the inner Harbor area. This annual show case offers the unique opportunity to compare the works of the area's top residential landscape designers side by side. Show hours through Saturday are 10 a.m. to 7 p.m. Sunday hours are 10 a.m. to 7 p.m. Admission is \$5, \$2, ages 6-12, under 6 free.

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Vagabond Auditions

Auditions for Paul Zindel's Pulitzer Prize winning drama, THE EFFECT OF GAMMA RAYS ON MAN IN THE MOON MARGOLDS will be held at The Vagabond Theatre, 806 S. Broadway at Fells Point on Saturday, Mar. 4 at 1 p.m. and Tuesday, Mar. 7 at 7 p.m. Needed are 5 females—age 16-25.

Stingles

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 2nd day of March, 1989 the first publication appearing on the 1st day of March, 1989 the second publication appearing on the 1st day of March, 1989 the third publication appearing on the 1st day of March, 1989

THE NORTHWEST STAR

[Signature]
Manager

Cost of Advertisement \$18-

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 7, 1989.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on March 2, 1989.

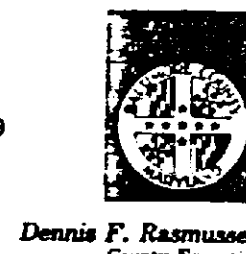
THE JEFFERSONIAN,

[Signature]
Publisher

P010436 P010439
ref 427054 ref 425299
price \$43.34 price \$57.43

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

March 21, 1989



Mr. and Mrs. Melvin A. Freundlich
58 Brookshire Drive
Reisterstown, Maryland 21136

RE: Petition for Zoning Variance
Case No. 89-379 A

Dear Mr. and Mrs. Freundlich:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

[Signature]
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

February 16, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows.



Petition for Zoning Variance
CASE NUMBER: 89-379-A
N/S Brookshire Dr., 155' E c/l Benwell Road
58 Brookshire Drive
4th Election District - 3rd Councilmanic
Petitioner(s): Melvin A. Freundlich, et ux
HEARING SCHEDULED: THURSDAY, MARCH 16, 1989 at 2:00 p.m.

Variance to permit an open projection (deck) of 10 ft. in lieu of the permitted 6.25 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

[Signature]

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County
cc: Mr. & Mrs. Freundlich
File

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B. and 217-5-4301.1-11 to permit an open projection (deck) of 10' in lieu of the permitted 6.25'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

1. THE 6.25 FEET WIDTH FOR A DECK IS NOT A PRACTICAL SIZE. THIS WIDTH WOULD NOT ALLOW OR ACCOMMODATE NORMAL FIRE LADDER CLEARANCE AND MAKE REMOVAL FROM TO MORE PRACICAL.
2. FRONT ENTRANCE TO THE ALANNA WOULD BE NOT PRACTICAL FOR BASIC CONTACT AND RELATIONS.
3. THE ALLOWABLE WIDTH OF 6.25 FEET WOULD BE SEVERE IN SAFETY FOR ALL WHO WOULD BE CONSIDERED (e.g. barbecuing).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Attorney's Telephone No.:

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 1st day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 16th day of March, 1989, at 2 o'clock P.M.

[Signature]
Zoning Commissioner of Baltimore County.

(over)

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Date: 3/9/89

Mr. & Mrs. Melvin A. Freundlich
58 Brookshire Drive
Reisterstown, Maryland 21136

Re: Petition for Zoning Variance
CASE NUMBER: 89-379-A
N/S Brookshire Dr., 155' E c/l Benwell Road
58 Brookshire Drive
4th Election District - 3rd Councilmanic
Petitioner(s): Melvin A. Freundlich, et ux
HEARING SCHEDULED: THURSDAY, MARCH 16, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Freundlich:

Please be advised that \$20.43 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s).

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 057477
DATE 3/16/89 ACCOUNT P-01-615-000
AMOUNT \$ 70.43
RECEIVED FROM Melvin A. Freundlich et ux
FOR 89-379-A
VALIDATION: ON SIGNATURE OF CARRIER
DATE: 3/16/89 BY: [Signature]

